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2 **Flower Mound High School Band Booster Club**
3 **Bylaws**

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5 **ARTICLE I: Name**

6
7 The name of this organization is the Flower Mound High School (FMHS) Band Booster Club, and is
8 associated with Flower Mound High School in Flower Mound, Texas.
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10 **ARTICLE II: Articles of Organization**

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12 The FMHS Band Booster Club (“Club”) shall be a nonprofit organization 501(c)(3).
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14 **ARTICLE III: Objectives**

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16 A. To promote and maintain the interest of FMHS students in all phases of band and instrumental
17 music programs, percussion and color guard. Any reference hereinafter to the “FMHS Band” and/or
18 “Band” (collectively, “FMHS Band”) shall include the marching band, instrumental music
19 programs, percussion, and color guard.
20
21 B. To give all necessary support wherever and whenever possible to the FMHS band directors, band,
22 and band program in general, and to cooperate with the FMHS band directors and school
23 administration in all phases of band activities.
24
25 C. To develop and implement revenue-making projects to support the financial needs of the FMHS
26 Band while providing accountability for Club budgets, revenues and expenditures.
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28 **ARTICLE IV: Members**

- 29
30 Section 1. Membership shall be available to any parent and/or guardian of a current FMHS Band
31 student wanting to participate in promoting the objectives of the Club.
32
33 a) Alumni students and parents/guardians of alumni students may volunteer with the
34 Booster Club after appropriate background checks are completed. Alumni parents,
35 guardians or students may NOT hold office nor be allowed to vote.
36
37 Section 2. Membership shall be made available without regard to race, color, creed or national origin,
38 nor be in conflict with the provisions of the UIL.
39
40 Section 3. Persons who volunteer to assist the FMHS Band are important to the success of our
41 programs. LISD Board Policy requires that every volunteer undergo a background check
42 before being allowed to work on a school site. Additional information is available at
43 www.lisd.net.
44

45 **ARTICLE V: Basic Policies**

- 46
47 Section 1. The Club shall be noncommercial, nonsectarian and nonpartisan.

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2 Section 2. The name of the Club and the name Flower Mound High School shall not be used to
3 endorse or promote a commercial concern or in connection with any partisan interest or for
4 any purpose not appropriately related to promotion of the objectives of the Club.
5
- 6 Section 3. The Club shall not, directly nor indirectly, participate or intervene (in any way, including
7 the publishing or distribution of statements) in any political campaign on behalf of, or in
8 opposition to, any candidate for public office.
9
- 10 Section 4. The Club shall not use any EIN (tax number) other than its own. The Club shall file periodic
11 tax returns, as required, with the Internal Revenue Service.
12
- 13 Section 5. The Club shall secure and maintain a sales tax permit from the Texas Comptroller's office.
14 The Club shall file periodic sales tax returns as required by the State.
15
- 16 Section 6. Self-dealings with members:
17
- 18 a) No part of the net earnings of the Club shall benefit or be distributed to its members,
19 directors, trustees, officers or other private persons except that the Club shall be
20 empowered to reimburse authorized expenditures.
21
- 22 b) No officer or chairperson shall provide goods or services to the Club which would
23 result in a profit to said officer or chairperson or their business unless the transaction
24 is competitive and is approved in advance by the Executive Committee.
25
- 26 Section 7. The Club shall prohibit voting by proxy.
27
- 28 Section 8. No part of the membership roster of the Club, including names, addresses and other
29 personal data, shall be sold to any entity or exchanged for any services or products without
30 the approval of the majority of the general membership. Any member may have the option
31 to opt out of the release of any personal information.
32
- 33 Section 9. Upon the dissolution of this organization:
34
- 35 a) The debts and obligations of the Club must be adequately provided for, and the
36 remaining assets shall be distributed to one or more nonprofit funds, foundations or
37 organizations which have established their tax-exempt status under Section 501(c)(3)
38 of the Internal Revenue Code.
39
- 40 b) The organization shall cease and desist from the further use of any name that implies
41 or connotes association with a Lewisville ISD school.
42
- 43 c) All proceedings necessary or desirable for the purpose of dissolving this organization
44 shall be carried out promptly, under the supervision of the LISD sponsor or his
45 designee.
46
- 47 Section 10. The Club shall keep such records as shall be sufficient to establish the items of gross
48 income, receipts and disbursements of the Club. Such records shall at all reasonable times
49 be open to inspection by its members.
50

1 Section 11. Members' out of pocket expenses are eligible for reimbursement upon request and approval
2 as described in Article VII, Section 6. However, no costs or expenses relating to members
3 shall be subsidized by the Club without the express authorization of the Executive
4 Committee. Such authorization shall be noted in the Board meeting minutes.

5
6 Section 12. All contracts, agreements, and/or other engagements that bind the Club, monetarily or
7 otherwise, must be reviewed, approved and signed by the president and treasurer(s).
8

9 **ARTICLE VI: Officers and Their Election**

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11 Section 1. Each officer must be a member of the Club.

12
13 Section 2. No two officers who are authorized check signers shall be related by blood or marriage.
14 No officer shall be a signer for any checks that are payable to himself or any of his family
15 members.

16
17 Section 3. Officers and their election:

18
19 a) The officers of this organization shall consist of a president, 1st and 2nd vice presidents
20 of activities, vice president(s) of concessions (maximum of two), vice president(s) of
21 merchandising (maximum of two), vice president(s) of fundraising (maximum of two),
22 a secretary, treasurer(s) (maximum of two), director of information technology, and a
23 director of communications. Collectively these 10-14 officers shall comprise the
24 Executive Committee.

25
26 b) Officer candidates shall be presented to the general membership meeting in the month
27 of April and elected by ballot in a general membership meeting in the month of May.
28 However, if there is but one nominee for an office, election for that office may be by
29 voice vote. Elections shall be by plurality.

30
31 c) Candidates for president and treasurer(s) may, at the request of the Executive
32 Committee, be presented and elected by the general membership at an earlier date for
33 purposes of learning the role and responsibilities for those offices to which they are
34 elected. The president-elect and treasurer-elect will assume their official roles as
35 provided below.

36
37 d) Officers shall be installed at the last meeting of the school year. They shall assume
38 their official duties following the close of the school year and shall serve a term of one
39 year or until their successors are elected.

40
41 e) An individual must be a member prior to taking office.

42
43 f) No officer shall serve in the same office for more than two consecutive terms. One
44 who has served more than one-half of a term shall be credited with having served that
45 term. In the event that the position cannot be filled for the following term, the Executive
46 Committee may at this point, nominate the current officer to remain in the position for
47 the following year. For subsequent terms exceeding three years, a 2/3 majority vote by
48 the Executive Committee will be required.

49
50 Section 4. Nominating Committee:
51

- 1 a) There shall be a nominating committee elected in January by the Board (see Article
2 VIII, section 5) consisting of at least seven members of the Club. Elections shall be
3 by plurality. One alternate shall be elected to serve in the event a member is unable to
4 serve. This committee shall elect its own chairman.
5
6 b) The nominating committee shall nominate an eligible person for each office to be filled
7 and report its nominees at the general membership meeting in April at which time
8 additional nominations may be made from the floor.
9
10 c) Only those persons who have signified their consent to serve if elected shall be
11 nominated for or elected to such office.
12
13 d) No member shall automatically serve on this committee because of his office in the
14 Club or position in the school system.
15
16 e) The sponsor shall not serve as a member of this committee, nor shall they appoint any
17 member of the committee.
18

19 Section 5. Vacancies:

- 20
21 a) A vacancy occurring in any elected office shall be filled for the unexpired term by a
22 person elected by a majority vote of the Board, notice of such election having been
23 given.
24
25 b) In case a vacancy occurs in the office of president, the 1st vice president of activities
26 shall assume the president's office for the remainder of the term.
27

28 Section 6. Reason to remove officers:

- 29
30 a) By two-thirds (2/3) vote of the Executive Committee, an officer shall be removed from
31 office for failure to perform duties, criminal misconduct or unethical behavior in the
32 Club's business.
33

34 **ARTICLE VII: Duties of Officers; Executive Committee**

35
36 Section 1. The president shall:

- 37
38 a) coordinate the work of the officers and committees of the Club; and
39
40 b) confirm that a quorum is present (see Article X) before conducting any business at any
41 meeting of the Club; and
42
43 c) preside at all planned meetings of the Club, Executive Committee and Board; and
44
45 d) be an authorized signatory on bank accounts along with the treasurer(s) and the 1st vice
46 president of activities; and
47
48 e) be a member ex-officio of all committees except the nominating and audit committees;
49 and
50

1 f) maintain close communication with the FMHS band directors regarding all business of
2 the Club.

3
4 Section 2. The 1st vice president of activities shall:

5
6 a) act as aide-to-the-president; and

7
8 b) preside in the absence of the president; and

9
10 c) coordinate special events at the request of the band directors or boosters which may
11 include a Spring banquet, a solo & ensemble competition, a chamber ensemble dinner,
12 hospitality events, and providing meals for band students before away football games.

13
14 Section 3. The 2nd vice president of activities shall assist the 1st vice president of activities.

15
16 Section 4. The vice president(s) of merchandising shall be responsible for procurement and sales of
17 spirit wear and all other FMHS band merchandise.

18
19 Section 5. The vice president(s) of concessions shall be responsible for operating concession stands
20 for athletic and non-athletic events.

21
22 Section 6. The vice president(s) of fundraising shall:

23
24 a) coordinate Club-sponsored fundraising activities other than concessions and FMHS
25 band merchandise; and

26
27 b) organize volunteers to assist the directors with band student fundraising activities; and
28 insure that there are no door-to-door fundraisers, no member individual accounts, and
29 no required participation stipulations (as to remain LISD compliant.)

30
31 Section 7. The director of communications shall:

32
33 a) be responsible for all external publicity required to support the Club; and

34
35 b) coordinate newsletter activities and social media.

36
37 Section 8. The secretary shall:

38
39 a) record the minutes of all meetings of the Club, update the minutes on the band website
40 within one week in draft status and present them at the following meeting;

41
42 b) maintain a compilation of the Club's minutes and a current copy of the bylaws, to be
43 retained in perpetuity;

44
45 c) provide copies of the minutes and bylaws to the president and the director of
46 information technology to be archived;

47
48 d) be responsible for correspondence; and

49
50 e) maintain current records of meeting attendance.

1
2 Section 9. The treasurer(s) shall:
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- 4 a) have charge and custody of all Club funds and the Club QuickBooks online account.
5 Ideally there are 2 treasurers: an AP treasurer for accounts payable (payments) and an
6 AR treasurer for accounts receivable (deposits); and
7
8 b) both sign on bank accounts and keep within the records the identity of the banking
9 institution and account numbers for the checking and savings accounts and credit cards;
10 and
11
12 c) use pre-numbered bank checks and a systematic record for bank deposits; and
13
14 d) make disbursements in accordance with the budget adopted by the Club, and keep
15 signed receipts or invoices supporting all disbursements. No disbursements shall be
16 made in cash. Expenses shall be reimbursed within two weeks of receiving the request
17 if the following conditions are met: the request is properly completed and supported,
18 the expense is reimbursable pursuant to the budget then in effect, and there are
19 sufficient funds in the Club's account and; the treasurer (AR) shall maintain member
20 accounts while invoicing all fees pertinent to program, collecting funds for deposit,
21 making deposits at bank, and following up on members' account balances regularly;
22 and
23
24 e) reconcile the records to the bank and credit card statements monthly while resolving
25 any discrepancies immediately. The monthly reconciliation report is to be completed
26 by the AP treasurer and submitted along with a copy of the bank statement to the AR
27 treasurer and president for approval (not for audit, but for review only); and
28
29 f) keep records including bank and credit card statements and reconciliations, receipts,
30 budgets, booster meeting treasurer reports, invoices, paid receipts, copies of forms
31 submitted to the school or the district, and all copies of financial, tax and audit reports
32 for five years; and
33
34 g) present a written financial report, which includes current period activity, cumulative to
35 date activity, and reconciled bank balances every meeting of the Club and also as
36 requested by the Executive Committee and/or Sponsors; and
37
38 h) be responsible for maintaining records of account, financial records, reports and returns
39 as required by federal and state taxing authorities; and
40
41 i) establish a system whereby IRS Form 1099 MISC can be furnished to those
42 individuals, businesses, etc. who are paid \$600 or more in a calendar year and insure
43 any person providing services to the Booster Club must submit a W9, updated
44 annually, before any payment will be made; and
45
46 j) submit records to the audit committee, third-party auditors, and financials and budgets
47 to the school principal as required; and
48
49 k) maintain, record, and update all vendor records in QuickBooks, including, but not
50 limited to, vendor W9 records.

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Section 10. The director of technology shall:

- a) be responsible for developing and implementing the Club’s overall technology strategy; and
- b) be responsible for all account information used by the Club. This includes, but is not limited to, apps, band emails, financial accounts, social media, and storage. Account information needs to include name of account, login id, login password, website and other relevant information as necessary; and
- c) provide website updates; and
- d) manage online forms to support the Club; and
- e) identify and manage the testing and rollout of new technologies; and
- f) create and maintain data repository of job descriptions, contracts, budgets, activities throughout the year, and other relevant documentation as necessary; and
- g) maintain legal documents in accordance with the Records Retention policy; and
- h) be responsible for obtaining and implementing information and technology security

Section 11. All officers shall:

- a) perform the duties outlined in the bylaws and other tasks assigned as needed; and
- b) maintain and update documentation of job responsibilities each year and provide a copy of this documentation to the director of information technology; and
- c) provide to their successors or the president all pertinent materials at the end of their term.

Section 12. Collectively these officers shall comprise the Executive Committee. The duties of the Executive Committee shall be to:

- a) transact necessary business in the intervals between Club meetings and conduct such other business as may be requested by the Club; and
- b) present a report at the regular meetings of the Club describing business transacted since the last meeting; and
- c) recommend a budget for the year to be presented to the Club for adoption; and
- d) serve on the Club’s board; and
- e) monitor compliance with the Club’s practices and policies and avoid intentional violation of LISD policies and the rules and regulations of the UIL.

ARTICLE VIII: Committees and Chairpersons; Board

Section 1. The Executive Committee shall create or remove standing and special committees as needed.

Section 2. The Executive Committee shall elect (by majority vote) chairpersons for all committees each year.

a) All chairpersons must be members of the Club.

b) No chairperson should serve in the same office for more than two consecutive terms. One who has served more than one-half of a term shall be credited with having served that term. In the event that the position cannot be filled for the following term, the Executive Committee may at this point, nominate the current chairperson to remain in the position for the following year. For subsequent terms exceeding three years, a 2/3 majority vote by the Executive Committee will be required.

Section 3. The Executive Committee may remove (by majority vote) a chairperson for failure to perform duties, criminal misconduct, or unethical behavior in the Club's business.

Section 4. All chairpersons shall:

a) perform the duties outlined in the bylaws and other tasks assigned as needed; and

b) maintain and update documentation of job responsibilities each year and provide a copy of this documentation to the director of information technology; and

c) provide to their successors or the president all pertinent materials at the end of their term.

Section 5. Collectively, the officers and chairpersons comprise the Board of the Club.

Section 6. Other responsibilities include but are not limited to:

a) The Board will authorize up to four officers to be check signers each fiscal year and this authorization shall be noted in the minutes. Two of the four signatures will be required on each check issued.

b) Board members will timely remit to the AR treasurer for deposit any Club moneys that they may receive, generally within three business days of receipt. At least two people should count the moneys collected from merchandising or fundraising and document the amount given to the AR treasurer for deposit. The treasurer(s) shall not work the cashier station at merchandising or fundraising events.

c) All requests for reimbursement of expenses must be documented in writing, include the Booster Club Accounts Payable Invoice & Reimbursement form available on the FMHS Band website, signed by the responsible party, accompanied by original receipts and submitted to the AP treasurer via email at treasurerap@fmhsband.org.

1 Exceptions to the requirement for original receipts must be approved by the AP
2 treasurer.
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4 **ARTICLE IX: Duties of Sponsor**

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6 Section 1. The sponsor of the Club shall not be a member or have voting privileges on the
7 Executive Committee or Board.
8

9 Section 2. The sponsor shall advise the Club against proceeding if the Club's plans would violate
10 LISD policies or UIL rules.
11

12 **ARTICLE X: Meetings**

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14 Section 1. This Club shall hold a minimum of six meetings per fiscal year. Regular meeting dates will
15 be established by the Executive Committee at the first meeting of the year. Time and dates
16 will be announced to the membership at its first meeting of the year.
17

18 Section 2. Special meetings of the Club may be called by the president or by a majority of the
19 Executive Committee.
20

21 Section 3. Meetings of the Executive Committee may be called by the president or by a majority of
22 its members.
23

24 Section 4. Four members shall constitute a quorum for the transaction of business at any Executive
25 Committee meeting. Eight members shall constitute a quorum for the transaction of
26 business in any other meeting of this Club or its Board.
27

28 **ARTICLE XI: Fiscal Year & Audit**

29
30 Section 1. The fiscal year of the Club shall begin June 1 and end May 31.
31

32 Section 2. An audit committee consisting of not less than three (3) members, who are not authorized
33 check signers, shall be appointed by the Executive Committee before the last meeting of
34 the fiscal year. Alternatively, the Club may use a third-party, who is deemed qualified by
35 the Executive Committee, to serve as auditor for the Club. Such third party shall not be an
36 officer of the Club.
37

38 Section 3. The report of the Audit Committee shall be adopted by the Club and must be submitted to
39 the school principal along with the fiscal year financial reports.
40

41 **ARTICLE XII: Budget**

42
43 Section 1. The Club shall establish a budget for each fiscal year and operate within that budget. The
44 Budget shall require the Club to maintain a minimum working capital balance as
45 determined by the Budget Committee.
46

- 1 Section 2. The Budget Committee is to be comprised of the president, treasurer(s), 1st vice president
2 of activities and Sponsors. The president may appoint additional members to the Budget
3 Committee at their discretion.
4
- 5 Section 3. Before the end of May of the current year, all members of the Board shall communicate to
6 the Budget Committee their planned activities and anticipated revenues and expenditures
7 for the upcoming year.
8
- 9 Section 4. The budget committee shall present a preliminary budget to the Executive Committee prior
10 to the date of band registration. Subsequently, the budget committee shall present to the
11 Executive Committee approved budget to the Club for the Club's approval by majority
12 vote during the first full Club meeting in the fiscal year. The adopted budget must be
13 submitted to the school principal.
14
- 15 Section 5. The treasurer(s) shall present interim updates to the budget upon request by the Executive
16 Committee and/or Sponsors.
17
- 18 Section 6. Personal property purchased by the Club, which is placed in, on, or around the school, must
19 be designated by the Board as either the property of the Club or of the school. If the item
20 is the property of the Club, it becomes part of the Club's physical assets and the Club is
21 liable for its maintenance and use. If not specifically identified as property of the Club, it
22 will be considered a gift to the school and district. The Club shall maintain insurance on
23 physical assets as required by the school or by law.
24

25 **ARTICLE XIII: Parliamentary Authority**

26
27 The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Club
28 in all cases in which they are applicable and in which they are not in conflict with these bylaws, or the
29 articles of incorporation.
30

31 **ARTICLE XIV: Amendments**

- 32 Section 1.
- 33 a) These bylaws may be amended at any meeting of the Club, provided a quorum is
34 present, by two thirds (2/3) vote of the members present and voting. Details of the
35 proposed amendment and notice of the intent to vote shall be provided to the
36 membership through the regular publicity channels at least twenty (20) days prior to
37 the meeting at which the amendment is voted upon or communicated at the
38 immediately preceding regular meeting.
39
- 40 b) A committee may be appointed to submit a revised set of bylaws as a substitute for the
41 existing bylaws only by a majority vote at a meeting of the Club, or by a majority vote
42 of the Board. The requirement for adoption of a revised set of bylaws shall be the same
43 as in the case of an amendment.
44
- 45 c) After adoption by a two-thirds (2/3) vote at a meeting of the Club, a copy of bylaws as
46 amended or revised and dated shall be provided to the sponsor.
47
- 48 Section 2. The Club shall review and if necessary amend its bylaws at least every three (3) years.
49